

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : CIVIL ACTION
LINCOLN NATIONAL COI : No. 16-06605
LITIGATION

ORDER

AND NOW, this 1st day of February, 2018, it is **ORDERED** that Class Plaintiffs Motion for leave to file a Second Amended Consolidated Class Action Complaint (ECF No. 56) is **GRANTED** in part and **DENIED** in part as follows:

1. Plaintiffs may amend their Amended Complaint to include a claim for tortious breach of good faith and fair dealing on behalf of the California Sub-Class;
2. Plaintiffs may not amend their Amended Complaint to include plaintiffs from *Tutor v. Lincoln National Corp., et al.*, No. 17-cv-04150 (E.D. Pa. Sept. 18, 2017).

Plaintiffs may file a Second Amended Consolidated Class Action Complaint consistent with this Order on or before February 15, 2018.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.